

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

**LANDON WILEY THOMAS,** :

**Petitioner** :

**CIVIL ACTION NO. 3:21-2159**

**v.** :

**(Judge Mannion)**

**GEORGE LITTLE,** :

**Respondent** :

**ORDER**

Upon consideration of Petitioner's return of this Court's Notice of Election, indicating that he chooses to withdraw his original petition for writ of habeas corpus and submit an amended petition for writ of habeas corpus (Doc. [4](#)) and Petitioner's motion for leave to file an amended complaint (Doc. [5](#)), to which he has attached his proposed Amended petition, **IT IS**

**HEREBY ORDERED THAT:**

1. Petitioner's motion for leave to file an amended petition (Doc. [5](#)) is **GRANTED**. Petitioner's proposed amended petition (Doc. [5-1](#)) is accepted for filing.
2. The Clerk of Court is directed to extract Petitioner's amended petition (Doc. [5-1](#)) and file the amended petition as a separate document.
3. The Clerk of Court is directed to serve the amended petition for writ of habeas corpus and this order on the respondent, the Attorney General of the Commonwealth

of Pennsylvania, and the District Attorney of Dauphin County.

4. Within twenty-one (21) days of the date of this order, Respondents shall answer the allegations in the petition for writ of habeas corpus. Consistent with Rule 5 of the Rules Governing §2254 Cases in the United States Courts, the answer shall:
  - (a) state whether the Petitioner has exhausted state remedies available under state law with respect to each claim presented, including any post-conviction remedies;
  - (b) be accompanied by those portions of any transcripts the Respondent deems relevant to disposing of the claims raised in the petition;
  - (c) indicate what other proceedings that might be relevant to the petition have been recorded but have not yet been transcribed;
  - (d) be accompanied by copies of any of the Petitioner's briefs on appeal, either from the judgment of conviction or from an adverse decision in a post-conviction proceeding; copies of any opinions of the appellate courts in those proceedings; and any PCRA petitions.
5. Respondent shall file a memorandum of law with the answer. The memorandum shall set forth the relevant facts and procedural history of the case, a recommended disposition of the petition, and citations to pertinent case law.
6. Petitioner shall, if he so desires file a reply brief within fourteen (14) days of receipt of the Respondent filings.

7. A determination whether the Petitioner should be produced for a hearing will be held in abeyance pending the filing of Respondent's answer and memorandum of law, and, if any, the Petitioner's reply.

s/ Malachy E. Mannion  
**MALACHY E. MANNION**  
United States District Judge

**Dated: April 13, 2022**

21-2159-02